

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 6231 of 2005

Between:

N. Sumathi, W/o. Late N. Raja Rao,
R/o. Pattabhipuram, Guntur District.

... PETITIONER

AND

- 1 The Executive Officer, District Scheduled Casts Services,
Cooperative Society Limited, Guntur.
- 2 The Revenue Divisional Officer, Guntur, Guntur District.
- 3 The Mandal Revenue Officer, Mmadikonduru Mandal, Guntur District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one nature of Writ of Mandamus declaring the action of the respondent in not passing any orders on the representation dt. 03-03-2003 submitted by the petitioner as illegal, arbitrary and contrary to law and consequently direct the respondent to grant the lease of the land admeasuring Ac. 3-00 in Sy.No. 293 and 294 of Dokiparru Village, madikonduru Mandal, Guntur district which was allotted by the respondents.

Counsel for the Petitioner: MR.K.SRINIVAS

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

-

ORDER:

This writ petition is filed seeking writ of Mandamus declaring the action of the respondents in not passing any orders on the representation dated 03-03-2003 submitted by the petitioner requesting for allotment of alternative land in lieu of the land allotted to her earlier vide proceedings of the Executive Director, District Scheduled Castes Service Co-operative Society Limited, Guntur as arbitrary and illegal.

The petitioner earlier filed W.P.No.2373 of 2000 challenging the proceedings of the 1st respondent dated 4-2-2000 informing her that there are no lands available for allotment on alternative basis. The said writ petition was dismissed, but it was left open to the petitioner to make a representation to the respondents in which event the respondents may consider the same. The petitioner states that accordingly she made a representation as long back as on 03-03-2003 for allotment of an alternative land. The only grievance of the petitioner is that the respondents have failed to consider her request and no orders have been passed, so far. Hence, this writ petition.

It is true that this Court in W.P.No.2373 of 2000 observed that the petitioner is not precluded from making a representation, but it cannot be said that there is any positive direction to the respondents to grant such alternative land. As a matter of fact, the said writ petition was dismissed. That apart, nothing has been placed before this Court to show that any such representation was received in the office of the respondents. In the circumstances, the relief as prayed for cannot be granted.

Accordingly, the Writ Petition is disposed of granting liberty to the petitioner to make a fresh representation, in which event the respondents may consider the same and pass appropriate orders in accordance with law in the light of the observations made in W.P.No.2373/2000 as expeditiously as possible preferably within a period of three months from the date of receipt of such representation.

The Writ Petition is accordingly disposed of. No order as to costs.

G. ROHINI, J

Dated: 24-03-2005

LSK

To

- 1 The Executive Officer, District Scheduled Casts Services,
Cooperative Society Limited, Guntur.
- 2 The Revenue Divisional Officer, Guntur, Guntur District.
- 3 The Mandal Revenue Officer, Mmadikonduru Mandal, Guntur District.

- 4 Two C.Cs. to the G.P. for Revenue, High Court Buildings,
Hyderabad. (OUT)

- 5 Two C.D. copies.